

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
DAVID SIDOO, *et al.*
Defendants.

Case No. 1:19-cr-10080-NMG

**DEFENDANTS' MOTION TO DISMISS
THE MONEY LAUNDERING CONSPIRACY (COUNT III)**

Pursuant to Federal Rule of Criminal Procedure 12(b)(3)(B)(v), the defendants^{1/} move to dismiss the money laundering conspiracy count of the indictment (Count III) with prejudice. Count III must be dismissed because the indictment does not allege a transaction involving proceeds generated by a specified unlawful activity. For this reason, and for the reasons set forth in the accompanying memorandum of law, this Court should dismiss Count III of the indictment with prejudice.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rules 7.1(d) and 112.1, the defendants respectfully request oral argument on this motion.

^{1/} All of the defendants join in this motion.

DATED: April 1, 2020

Respectfully submitted,

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LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I conferred with counsel for the government in an attempt to resolve or narrow the issues raised by this motion. The government opposes this motion.

/s/ Cory S. Flashner
Cory S. Flashner

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing was filed electronically on April 1, 2020, and thereby delivered by electronic means to all registered participants as identified on the Notice of Electronic Filing.

/s/ Cory S. Flashner
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